

Public Disclosure of Private Information About Victims of Abuse

Media publication of information about child abuse victims and their families may be detrimental to the victims. This is particularly true in cases of sexual abuse, but it may be just as serious in some cases of physical abuse or neglect. Many states lack laws that restrict publicity concerning the identity of child abuse victims and their families. As a result, serious harm to children can occur, not only at the time of the trial or hearing, but when subsequent stories appear years later.

The American Academy of Pediatrics recommends that all states adopt laws to prevent public disclosure of information that identifies victims of child abuse. The laws should grant courts the discretion to take one or more of the following measures during hearings of alleged civil or criminal child abuse/neglect: (1) exclude the public and media from a proceeding during the testimony of the child victim; (2) exclude the public (but not the media) from an entire proceeding; and (3) use pseudonyms in court records for the child victim and his or her family members.

Criteria by which the need for such protective measures should be judged include (1) the likelihood of identification of the child victim to the public if the protective measure is not taken; (2) the nature of the conduct that is the basis for the proceeding; (3) the child victim's age and level of maturity; (4)

the desires of the child victim; and (5) in cases in which a family member is the defendant, the need to protect the family from publicity to encourage the resolution of family problems.

In addition to recommending that all states adopt such laws, the American Academy of Pediatrics also recommends that the media exercise great caution in publishing any information that includes the names of children who are victims of sexual or physical abuse or neglect.

This policy is not intended to shield the subject material or content of the trial from the public. Rather, its aim is to reduce the trauma for the child victim, promote rehabilitation efforts, protect the child victim from stigmatization, and protect the identity and privacy of child victims.

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The recommendations in this statement do not indicate an exclusive course of treatment to be followed. Variations, taking into account individual circumstances, may be appropriate.

This statement has been approved by the Council on Child and Adolescent Health.

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